



# City of Carmel

## **CARMEL PLAN COMMISSION SPECIAL STUDIES COMMITTEE TUESDAY, AUGUST 1, 2006**

### **Minutes**

The regularly scheduled meeting of the Carmel Plan Commission Special Studies Committee met at 6:00 PM on August 1, 2006 in the Caucus Rooms of City Hall, Carmel, Indiana.

Members present: Leo Dierckman, Mark Ratterman, Madeleine Torres, Susan Westermeier

DOCS Staff present: Matt Griffin, Christine Barton-Holmes, David Littlejohn, Mike Hollibaugh, Director. Also present, John Molitor, Legal Counsel.

### **The Special Studies Committee considered the following items:**

- 1. Docket No. 06070019 ADLS Amend: Sky Bank – Signage**  
The applicant seeks approval for two new signs.  
The site is located at 3675 W 106th St and is zoned B-5.  
Filed by Tony George for the Sign Craft Industries.

### **TABLED**

**Note:** Items 2 and 3 were heard together, voted separately.

- 2. Docket No. 06070024 ADLS Amend: Kindercare- Building/Signage**  
The applicant seeks approval for a new sign and new building color.  
The site is located at 1001 S Range Line Rd is zoned B-7 and in the Range Line Rd./Carmel Dr. Overlay.  
Filed by Mark Schmidl for Knowledge Learning Corporation.

Mark Schmidl, Knowledge Learning Corporation, 121 Eastern Avenue, Sunman, Indiana 47041 appeared before the Committee representing the applicant. Signage for Kindercare has been handled nationally; pictures were shown of the proposed signage.

Currently, the landscaping is inadequate at the existing Range Line Road site. Approval is also requested to change the building color.

The Committee preferred the sign at the Hazel Dell location. The Committee was not in favor of the red and felt that it was overdone and was a logo by itself.

Department Report, David Littlejohn: In both instances, the existing sign has been “re-faced.” The Range Line Road sign no longer conforms to the Carmel Drive/Range Line Road Overlay. In order for this to be legal after Committee approval, the petitioner would have to receive approval from the Board of Zoning Appeals for type of sign (ground sign.) Contingent upon that, the Department would recommend approval.

Matt Griffin, DOCS commented that the Range Line Road Overlay now requires buildings to be built to the right-of-way. In a case where there are existing businesses, there is an understanding that those monument signs still have a purpose. The Department does not have a strong feeling regarding the red paint—in both instances, the building is clad in a logo color. Obviously, the Department prefers things more under-stated.

Leo Dierckman expressed a preference for a crème color rather than the red. This is a logo issue and tied to advertising, etc. The Committee was unanimous in preference for keeping the color red for the door, shutters and cupola, but preferred the crème color for the building and requested that the eaves, gutters, and fly rafters be painted the same.

Mark Rattermann moved for approval of **Docket No. 06070024 ADLS Amend, Kindercare-Building/Signage on Range Line Road, subject to** re-painting the eaves, gutters, fly rafter, and the cupola the same crème as the building, and keeping the red door and shutters. Mark Rattermann then amended his motion to also provide for landscape approval by the Department and the size of the signage. The motion, as amended, was seconded by Madeleine Torres, and **APPROVED 4-0.**

**3. Docket No. 06070025 ADLS Amend: Kindercare- Building/Signage**

The applicant seeks approval for a new sign face.

|The site is located at 13320 Hazel Dell Pky and is zoned B-3

Filed by Mark Schmidl for Knowledge Learning Corporation.

Susan Westermeier made formal motion to approve **Docket No. 06070025 ADLS Amend: Kindercare—Building/Signage at 13320 Hazel Dell Parkway, subject to** landscape approval and size of the signage, seconded by Mark Rattermann, **APPROVED 4-0.**

**4. Docket No. 05110020 DP/ADLS: Old Meridian Place**

The applicant seeks to create 129 townhomes and a mix of office & retail uses on 25 ac.

The site is located at 12852 Old Meridian Street and is zoned OM/SFA.

Filed by Jon Isaacs for Centex Homes.

Jon Isaacs, Centex Homes appeared before the Committee representing the applicant. Jim Shinaver, attorney and Jeff Pape were also in attendance.

Jim Shinaver explained that originally, a small portion of the site was to be rezoned to permit the type of use requested on this property. The rezone was not approved and the petitioner has redesigned the site so that it fits within the existing zoning classification—no variances are being requested.

Jon Isaacs then addressed the committed and went over a summary of the newly revised plan and noted the changes. Essentially, the project is about 90% similar to the previous submission. Centex has gone back to a towhome-style development, the clubhouse has been reduced to a one-story, approximately 8,000 square foot structure. During the redesign process, 90 condo/flat units were lost and those are being made up as condo/flats over retail on Old Meridian. The significant change would be that a “for sale” product versus for rent would have a garage and that would be extremely important to the buyer. As a result, the size of the first floor of the building was increased to accommodate 20 garage parking spaces on the first floor in addition to 11,000 square feet of retail that is required along Old Meridian.

The only issue resulting from the Old Meridian standards is the building size—the footprint is limited to 15,000 square feet along Old Meridian. The retail is under 15,000 square feet, but in order to get the parking, the size of the buildings had to be increased. The parking beneath the building accommodates residential as well as retail. There will be elevator access from the garage area as well as a private entry to the rear to the three-story flats.

Because the first floor of the building was expanded to accommodate the parking, the upper two floors step back about 15 feet both from the front and the rear, and provides for a rooftop garden, balcony, that would overlook Old Meridian. The balcony/rooftop is fully functional.

The petitioner’s engineering staff is working directly with the City of Carmel Engineering Dept. to come up with a design for a parking lane along Old Meridian at the petitioner’s expense. The buildings will be closer to the road and the road is closer to the buildings—the sidewalks come from the back of the curb right to the building with an opportunity for a sidewalk café, park bench/seating areas.

A shift has been made in the architectural design for the townhomes. Color renderings will be submitted prior to the Plan Commission meeting. Based on the Old Meridian Ordinance, any structure that fronts a public street must have a brick front façade. All buildings that would front any of the roads that come in off Old Meridian and the Grand Boulevard (to be built in the future) and 131<sup>st</sup> Street will be the brick structures. All of the other buildings on private drives end up being the alternate elevation that is all fibre-cement board. Both elevations have either a brick water table for the non-brick building or a limestone water table for the brick buildings to give the “massing” the Ordinance specifies.

The recreational center has been downsized. Building number “A” in the Special Use District is a challenge. The Apostolic Church had a first right of refusal on the property to the south and at the time the zoning was put in place, the Special Use extended to this property. The Church has not exercised its first right of refusal and Centex has now purchased the property. The use has not yet been identified.

The landscape plan has been revised. There is underground detention and parking behind the commercial buildings. The petitioner has been working with Corby Thompson to pick up the drainage on his site and also aligning the roads.

From a parking standpoint, every townhome has four (4) off-street parking spaces located off the alley. The retail has 182 parking spaces behind the buildings. The Special Use has 24 spaces designated as well as over 200 on-street parking spaces throughout the development, 42 of them on Old Meridian.

At this time, the petitioner is requesting Development Plan approval for the entire site. The petitioner would be returning for ADLS review and approval. The petitioner is also requesting that as a part of the Development Plan approval, the Plan Commission would exercise their right to apply a waiver to this development and increase the building footprint size by 35%--from 15,000 square feet to 20,250 square feet. The total number of proposed units equals 258--the revised plan addressed the concerns regarding the setback. The greenspace has been addressed with small plaza areas integrated into the landscape plan as a part of this project. The small, special use building could be brought forward, but it might make more sense to keep it farther back and create a plaza out front of the building.

Department Comments, Matt Griffin: The mixed-use buildings will return to Commission for DP/ADLS. When the mixed use returns, will it be a full public hearing for each individual lot?

Jon Isaacs asked if they had shown enough information to do an ADLS/Amend--the concern is--there is no problem opening up the architecture, but are we opening up the DP at that point as well?

Matt Griffin responded that when the petitioner originally submitted, they did not know who would be building, they were speculation buildings, and for that reason we did not get into a conversation regarding parking or those kinds of issues. It would be more comfortable for the Department to have the ability to review a Development Plan, just to make sure the park is going to "shake out" and it complies with the Ordinance. You will still have to go to the Plan Commission with a straight ADLS. But for the reasons specified--parking, lighting, etc.--the Department would like to review.

Mr. Pape says they are all inner-related--the challenge is that this is all served by underground drainage and must be coordinated on the front end, so if the Development Plan changes in the future, the drainage will already be intact and no way to separate the residential from the commercial. We were asking for approval of the Development Plan understanding that we cannot separate underground storage from the development of the site as a whole.

Matt Griffin said the Department was comfortable with that. If the petitioner returns for those facilities at ADLS, they will fit into your development plan--if they do not, we will have an issue--then it would be DP/Amend.

Leo Dierckman asked why this would be forwarded this evening--why not wait for the waiver submission.

Jim Shinaver responded that the petitioner had noticed for the next public meeting, actually September, but if we can answer questions and satisfy concerns, perhaps we could be voted out of Committee and then prepare for September Plan Commission meeting by noticing; the waiver

and the DP go hand-in-hand.

Leo responded that the Committee has seen this so many times, he would rather see it go to the full Plan Commission one time with the waiver as a part of the approval.

Agreed by the Department and the petitioner.

Mark Rattermann confirmed his understanding that the petitioner is building the roads and dedicating them to the City, not putting this in a “TIF.”

Jon Isaacs said that his understanding with McBride is that the last bond issue had the road project in it, and the petitioner will be paying back their percentage of the bond issue.

Jim Shinaver said he would like to answer all questions regarding the waiver so that when this goes back to full Commission, a final decision could be voted, including the waiver.

Madeleine Torres made formal motion to forward **Docket No. 05110020 DP/ADLS, Old Meridian Place to the Plan Commission** with a positive recommendation for approval, seconded by Susan Westermeier, Approved 3 in favor, one opposed (Rattermann.)

**Note:** Item 5 was heard out of sequence as the last item of business.

**5. Docket No. 06050001 Z: Legacy/East Carmel PUD Rezone**

The applicant seeks to rezone 509.234 acres from S-1 to Planned Unit Development for the purpose of creating a primarily residential, mixed-use development.

The site is located north of 126<sup>th</sup> Street, south of 146<sup>th</sup> Street, and on either side of River Road. Filed by Steve Pittman and Paul Rioux of Pittman Properties.

Steve Pittman and Paul Rioux appeared before the Committee representing Pittman Properties. Also in attendance: Design consultants from Colorado Design Workshop ( Kurt Culbertson & Steven Spears) Charlie Frankenberger, attorney with Nelson & Frankenberger.

Steve Pittman explained that their contract on the property requires December completion for going through the process. Pittman Partners is hoping that a special meeting can be scheduled for additional Committee review to specifically go over the PUD, line-by-line.

This evening, the petitioner will go over the details of the changes made in the plan and respond to questions raised by DOCS. It is hopeful that the final Committee review will be September 5<sup>th</sup> and return to full Commission on September 19<sup>th</sup>.

Kurt Culbertson, Colorado Design Workshop addressed the Committee and responded to the Department Report. There are 4 or 5 primary issues—one is the mixture of uses horizontally and perhaps vertically. The plan needed a clear set of systems so that there is a clear understanding of how the open space systems work, drainage, roads, and pedestrian system. The plan is to address walk-ability, place-making—building placement, parks placement, open space—and also to incorporate the LEEDS program into the neighborhood development standards.

The existing plan responds to the curb cut and places lots in a way that is compatible with the adjacent land uses around the boundaries of the property. The wooded lot is preserved in large measure; there is a commercial center and office located along 146<sup>th</sup> Street and is a major focus of the plan.

Steven Spears compared the current plan as shown to the previous plan and talked about some of the principles used in up-dating the plan. The first design principle is to inner-link the neighborhoods with trails and promote walk-ability; provide connections to surrounding neighborhoods to the elementary school; create a walkable, mixed-use environment at the Village Center that would be a combination of residential, office, and retail uses; and provide residential density in relationship to employment generators and retail activity. Another design principle is to preserve and enhance the unique, natural features of the site—the woodlands, the soils, etc, and to provide a mix of housing products that promote socio-economic diversity as well as appropriate land use transitions to adjacent neighborhoods that respect current communities in place. Parking amenities would be provided within a 5-minute walk from residential lots. The termination of major roads onto open space would be considered. Lots would be fronted onto significant, natural features of park spaces where applicable. A multi-generational community would be created and consideration given to providing passive site for senior housing. Storm water systems would be integrated into the site as an amenity for the public domain.

Rather than having a long, linear commercial area along 146<sup>th</sup> Street, the proposal provides for some commercial on 146<sup>th</sup> but also creates a “Main Street” feel. The office space would still be along 146<sup>th</sup> Street with a mixed-use environment that would provide flexibility for parking. Encouraging people to live along the retail portion provides energy, attractiveness, and intensity to help ensure the survival of the retail space. Moving further south, the goal was to preserve as much of the woodlands as possible—the only area impacted is aligning with the curb cut with the development to the north and along 146<sup>th</sup> Street.

A community/recreation center-type building is being considered that would also be an ideal location for a day care. Heading farther south, the density/intensity starts to fade away. There would be alley-loaded products in this area to eventually front-loaded; single family lots; then on to the bluff. One thing being considered is tying in stormwater ponds and retention facilities to amenities that can be shared and enjoyed by the community. Lots would be facing on to the wooded edge of the toe of the bluff; units would face onto park space.

One area being discussed that is still extremely flexible is a senior housing facility that could be opened onto the larger green space. This may or may not be potential prairie restoration and would be more passive. Again, this is very flexible.

Considering the major boulevard that goes through the property and using a bio-swale technology on the east/west road is preferable. The bio-swales are an environmental approach to deal with storm water management and it adds value to the project because of the amenity it creates. The road network terminates onto open space. The idea is that at the end of the road, you feel engaged, that the open space is a part of the public domain. The environmental system

associated with the plan is pretty easy to understand—the woodlands, the bluff, and more woodlands. There is a series of bio-swale systems that eventually start to connect into the storm water ponds and eventually out flow at historic rates, turning the bio-swales into an amenity—park and open space systems. The circulation system: the road corridors would have sidewalks associated with them—the idea is to have a trail system that connects to sidewalks or other park systems throughout the entire project. The number one design principle is to inner-link all of the neighborhoods as one community.

Finally, there is a 5-minute walking radius—park space, trail systems, and other community benefits are all within a 5-minute walking radius of every single lot on the project. Examples of other communities were shown.

Department Comments, Matt Griffin: The City is really excited about the re-design and everything being brought to the table. A lot of things the Department has asked for the last few months are going to happen with this project. A lot of the initial comments and concerns have been addressed. What the Department is looking for at this time is that the PUD language is reflected to speak to the effect of what is proposed—there are also some “housekeeping” items as well, legends on the plans, etc. Engineering has submitted a list of comments to the petitioner. The petitioner should touch base with Engineering and work through the list. The Department asked for the “open space block” to the west of River Road to be an active type of use and that is not seen as yet. Lastly, the revised concept plan shows the parking fields adjacent to 146<sup>th</sup> Street; at the last meeting, it was determined that a “main street” feeling on 146<sup>th</sup> Street would not work out—the context is not there for it. We want to make sure that the parking is down-played. We don’t want the front door of this project to be parking lots or offices.

It came up in a Staff meeting that there are two historic sites on this property and the City Ordinance typically calls out for the preservation of anything identified in the Hamilton County interim report. There is some merit to the original zoning in that the two sites should be recognized and discussed.

Charlie Frankenbeger, attorney with Nelson & Frankenberger, referred to the Staff Report of June 29<sup>th</sup> and the list of concerns. Most of the concerns are in the process of being addressed. The objective is to revise the PUD in advance of an interim meeting and distribute to the Committee members well in advance of the next meeting.

Matt Griffin stated that a lot of the Department comments were based on mixing product types and allowing for things like “granny flats” or even attached units to be within what would be a typical, single-family detached neighborhood. It seems that The Legacy will allow that to happen and let the market dictate if that wants to happen—it seems like a good compromise.

An unidentified member of the public spoke and expressed a major concern with traffic and there are only three places where people can get out: Cherry Creek Blvd, 146<sup>th</sup> Street, and River Road. The apartments under construction on the north side of 146<sup>th</sup> Street and all of the development on the Noblesville side will make it extremely difficult for people to navigate the area. Density is also a concern.

Steve Pittman responded to questions regarding the density—overall at 2.7—the total density is about 1300, excluding the 11 acres east of River Road.

Paul Rioux responded to questions from Leo Dierckman regarding the water situation—the bio-swale concept of moving the water through the areas allows for some detention area. The bio-swales do not stay wet all of the time, they are not retention ponds—they are designed to meet heavy rains and that is the way the water moves rather than through a pond and sending it by pipes. The Legacy will not be cutting off the flow of water to Haverstick. We are avoiding the idea of “10 retention ponds” surrounded by houses.

Mark Rattermann commented that the County Engineer would have to approve the drainage and bio-swale system—it is really beyond the scope of the Committee.

Madeleine Torres asked if Conner Prairie and Earlham College were aware that the Plan Commission would like part of the area to remain active recreational space. P

Paul Rioux said the petitioner has a letter from the City that requests them to look at part of the land as active, recreational space. The Legacy contract stipulates that they need to go back to Earlham and say this is what they have to do—this is in process now and no design is shown.

Leo Dierckman stated that the ground is being included in the density on the assumption it will be used—if the ground does not get used, the Commission will have to go back and “jiggle the numbers.”

Mark Rattermann commented that the density is a little more than he was hoping for; however, the proposal is good overall and shows forethought of community and planning. Incidentally, the possibility of a gas station is not favorable unless there is “absolutely, guaranteed, no spillage.” This is our water table and if there is a leak, it is a major, major problem. There is a wellhead in the Haverstick area—nothing to joke about.

Susan Westermeier asked if the school system was up-to-speed on this proposal.

Matt Griffin responded that the school is a part of the TAC Committee and receives plans. No comments have been received to date.

Mark Rattermann noted a publication with statistics and children and densities—the impact on the school has already been addressed and building another school is the last thing we want.

Steve Pittmann said the school is bringing their consultant in and up-dating their study. The first meeting with the school, they said another elementary school would not be required and they are comfortable with the development. It is getting a little tighter at the middle school, but they are still comfortable at the elementary level.

Paul Rioux noted that this is the last large piece of property east of Ditch.

Sue Westermeier still felt that there will be another elementary school constructed as a result of



The Legacy development.

Madeleine Torres asked if the LEEDS chart shown could be made available in the next packets of information for distribution. Also, is the Assisted Living guaranteed to be somewhere within the development?

Paul Rioux said he was working hard to do that. Actually, it is retirement community, senior housing. We are working hard to find the best place for it.

Leo Dierckman asked about the parcels that may have historical value.

Paul Rioux responded that there is a small building, a Gothic building with columns. There is a possibility that Conner Prairie wants it and it may be moved into Conner Prairie. If it had to stay there, it could—it is not taking up a lot of space.

Leo Dierckman noted that the Committee liked the plan but needed to nail down more specifics. The Committee needs to see a lot more detail and needs to start going over the PUD.

Paul Rioux stated that he had received a letter from the Engineering Dept that he has responded to item-by-item. There is no provision in Carmel Engineering for bio-swales and we will probably have to write something into the PUD that will address that.

Madeleine Torres asked if more information could be given regarding the bio-swales, including pictures of what they will look like—with water in them and without-and how often will there be water in them?

Leo Dierckman said that a date would be set for a special meeting to review The Legacy. The Committee will need the PUD a minimum of five business days prior to the meeting.

**Note:** Items 6 and 7 heard out of sequence.

**6. Docket No. 06060004 Z: 122<sup>nd</sup> & Pennsylvania Rezone**

The applicant seeks to rezone 27.41 acres from R1 and M3 to B3 to allow for medium-density commercial office development.

The site is located on the northeast corner of 122<sup>nd</sup> Street and Pennsylvania Street. Filed by Paul Reis of Bose McKinney & Evans LLP for Panattoni Development.

Paul Reis, attorney with Bose McKinney & Evans, 600 East 96<sup>th</sup> Street, appeared before the Committee representing the applicant. Also in attendance: Mary Zurbach and John Jaffey, Panattoni Development.

The petitioner is seeking a rezone of the 27.41-acre site from R-1 and M-3 to B-3 to allow for medium-density commercial office development.

Department Report, Matt Griffin: The proposed rezone is in line with the Comprehensive Plan as well as the context—this site is almost a bookend to get it in line with the context. The

Department has no issues with the rezone of the property as presented. The Department recommends this item be returned to the Commission with a positive recommendation.

Madeleine Torres moved to **forward Docket No. 06060004 Z, 122<sup>nd</sup> & Pennsylvania Rezone** to the Plan Commission with a **positive recommendation**, seconded by Susan Westermeier and approved 3 in favor, none opposed, Rattermann out of the room at the time the vote was taken.

**7. Docket No. 06060005 DP: Block G, West Carmel Marketplace**

The applicant seeks site plan approval for a proposed commercial retail building. Elevations and an ADLS/DP Amend application will be submitted at a later date. The site is located at 99<sup>th</sup> Street and North Michigan Road and is zoned B2/B3. Filed by Chris Laystrom of Woolpert Engineering for Duke Construction.

Chris Laystrom, Woolpert Engineering appeared before the Committee representing the applicant. Also present: Connie Hall and Tom McLaughlin, Duke Construction.

The site consists of 8 acres within the West Carmel Marketplace development at the intersection of 421 Michigan Road and 99<sup>th</sup> Street. The property is just north of Home Depot.

Tom McLaughlin said they have a tenant that has signed with them (Kohl's) and they have a building in mind. Kohl's will consist of 90,000 square feet—a big box. The petitioner is anticipating doing the site work and making it acceptable to the tenant. The petitioner is requesting approval so that they can proceed with the site work. The petitioner will return for ADLS, foundation plantings, elevations, colors, etc.

At this time, the petitioner is asking permission to proceed with the balance of the site work. The petitioner will have the 99<sup>th</sup> Street and Walnut Creek corridors in place in time for ADLS review.

The parking lot will allow Home Depot access for their site as well—they hope to be open within the next 60 days.

The Commerce Drive roadbed to the rear is in place—the contract was awarded last week to a paving company and bids let last week. Pending some right-of-way acquisitions, Commerce Drive will be extended at least to the south of the site. We can then button-up the landscaping and grading and try to clean up this corridor.

Department Comments, Matt Griffin: There were only two issues with this item, the first of which is the lighting plan. The original submission did not meet the photometric requirements of the 421 Overlay. The Department received another packet today and that shows the petitioner is meeting that requirement, however, the Department would like to see some refinement of the plan to show the photometrics scale out to zero—the Department needs to see the full range. The other issue is the landscaping plan. The plan has been submitted, however the Urban Forester is out of the office this week and approval is not anticipated until at least next week. If the Committee recommends approval, it should be contingent upon final approval of the landscape plan.

Madeleine Torres asked about the future sidewalk and whether or not that was part of the DP.

Chris Laystrom responded that the sidewalk is within the right-of-way of Commerce Drive and not a part of their project.

Mark Rattermann made formal motion to approve **Docket No. 06060005 DP, Block G, West Carmel Marketplace, subject to** landscaping and final lighting approval by the Department, seconded by Susan Westermeier, **APPROVED** 4-0.

The meeting adjourned at 8:20 PM.

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Leo Dierckman, Chairperson

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Ramona Hancock, Secretary